

FARMINGTON CITY – CITY COUNCIL MINUTES

MARCH 2, 2021

WORK SESSION

Joining via Zoom:

*City Councilman Scott Isaacson,
City Councilman Shawn Beus,
City Councilwoman Amy Shumway,
City Councilwoman Rebecca Wayment,
Mayor Jim Talbot,
City Manager Shane Pace,
City Attorney Todd Godfrey,*

*City Recorder Heidi Bouck,
Recording Secretary Deanne Chaston,
Community Development Director Dave
Petersen,
Assistant City Manager/Economic
Development Director Brigham Mellor,
and Finance Director Greg Davis.*

Mayor **Jim Talbot** called the work session to order at 6:04 p.m.

UPCOMING REGULAR AGENDA ITEMS

Community Development Director **Dave Peterson** said the Planning Commission is O.K. with the Maverik layout and having the applicant keep working with Staff. A future roadway will be on the north side of this. The store may be shifted northeast in order to allow more towing and RV access. The applicant is aware of the staff report and is O.K. with having it tabled. **Petersen** said the applicant wanted something to hang their hat on before they start.

The North Cottonwood Creek agenda item is a utility easement that needs to be on the plat. The protest period ended after the packet was sent out on Thursday, and the City did not receive any protests during the protest period that ended Friday. It needed to be noticed as a public hearing tonight. This was allowed as a deviation of the underlying zone to have frontage on the private drive.

Regarding the Othrostar agenda item, Councilwoman **Amy Shumway** questioned the bike lane, as the rail trail is further west of this site. **Petersen** said a bike lane is not planned for the south side, as the site doesn't abutt the south side of the road. City Manager **Shane Pace** said they will have **Tim Taylor** look at this.

Regarding the animal services in the minute motion, **Mayor Talbot** said the city doesn't want to get into those services. They have been putting money into the fund to help rebuild the facility. **Shumway** said the County animal services is not helping with raccoons anymore because it was taking all resources from morning to noon for only raccoons. It was taking resources away from more important wildlife and animals. There are private businesses that will help with raccoons. Councilman **Scott Isaacson** said it is a service he wouldn't mind paying for.

CLOSED SESSION

Joining via Zoom:

*Councilman Brett Anderson,
City Councilman Scott Isaacson,
City Councilman Shawn Beus,
City Councilwoman Amy Shumway,
City Councilwoman Rebecca Wayment,
Mayor Jim Talbot,
City Manager Shane Pace,
City Attorney Todd Godfrey,
City Recorder Heidi Bouck,*

*Recording Secretary Deanne Chaston,
Community Development Director Dave
Petersen,
Assistant City Manager/Economic
Development Director Brigham Mellor,
Assistant City Manager/City Engineer Chad
Boshell,
and Finance Director Greg Davis.*

Motion:

At 6:30 p.m., Councilwoman **Rebecca Wayment** made the motion to go into a closed meeting for the purpose of land acquisition and litigation. Councilman **Shawn Beus** seconded the motion, which was unanimously approved.

Sworn Statement

I, **Jim Talbot**, Mayor of Farmington City, do hereby affirm that the items discussed in the closed meeting were as stated in the motion to go into closed session and that no other business was conducted while the council was so convened in a closed meeting.

Jim Talbot, Mayor

Motion:

At 7:00 p.m., Councilwoman **Rebecca Wayment** made a motion to reconvene to an open meeting for the study session. The motion was seconded by Councilwoman **Amy Shumway**, which was unanimously approved.

REGULAR SESSION

Joining via Zoom:

*City Councilman Brett Anderson,
City Councilman Scott Isaacson,
City Councilman Shawn Beus,
City Councilwoman Amy Shumway,
City Councilwoman Rebecca Wayment,
Mayor Jim Talbot,
City Manager Shane Pace,*

*City Attorney Todd Godfrey,
City Recorder Heidi Bouck,
Recording Secretary Deanne Chaston,
Community Development Director Dave Petersen,
and Assistant City Manager/Economic Development Director Brigham Mellor.*

Others attending via Zoom included: Adam Watts, Craig North, Cassie Younger, Doug Cromar, Holly Abel, Lori Conover, Paulette Hewitt, Winchester Young Women, Linda Thomas, and Hillary Hallows.

CALL TO ORDER:

Mayor **Jim Talbot** called the meeting to order at 7:03 p.m.

Roll Call (Opening Comments/Invocation/Pledge of Allegiance)

City Manager **Shane Pace** offered the invocation, and the Pledge of Allegiance was led by City Councilman **Scott Isaacson**.

PUBLIC HEARINGS:

Maverik – Project Master Plan (PMP)/Development Agreement (DA), Schematic Subdivision

Community Development Director **Dave Petersen** presented this agenda item, saying that Staff knew this application was coming. Most gas stations do not line up like this one. The site is under 2 acres, if Commerce Drive is taken out. It was important to the applicant that they get some comment about the layout from the City Council before going through the approval process.

Applicant **Cassie Younger** representing Maverik addressed the Council. This layout keeps in the form-based code. Vehicles will enter on Park Lane or on the back side. The 10 fueling stations could be expanded in the future. The decorative architectural elements mimic those of the Sleep Number store to the east. She noted the positive Planning Commission feedback.

Mayor Talbot opened the Public Hearing at 7:12 p.m.

Holly Abel (1163 W Henry, Farmington, Utah) said she thinks Mavericks are great. She is concerned with traffic flow in the area and that entire corner. She and her family have been in near accidents there as people exiting the Harmons gas station exit left to right. She would like to prevent potential accidents getting in and out of that area. People speed in that area.

Assistant City Manager/Economic Development Director **Brigham Mellor** said **Younger** and her team have been awesome to work with the form-based code. Gas stations usually like to

have the pumps out on the corner. It will be a great Maverik. That road will be a gateway to the business park and needs to look like a showpiece.

Hillary Hallows (1190 W. Clark Lane, Farmington, Utah) uses the West Kaysville Maverik, and there are usually trucks pulling boats, trailers, and four wheelers. She is hoping this design will allow the same thing.

Younger said there will be potentially more pumps installed in the future, and it may be able to be spaced more like the commercial court. An additional fuel canopy may be added a few years in the future if the location is popular.

Mayor Talbot closed the Public Hearing at 7:20 p.m.

Petersen said the 400 North and U.S. Highway 89 intersection in Bountiful used to have a gas station on each corner. The code calls for 40 feet from the corner for curb cuts. That Bountiful intersection is much more busy than this one in question. **Petersen** said this curb cut is the furthest away it can be for optimum safety. Most gas stations in a suburban setting like this are mostly single vehicles and cars. The City Council and Planning Commission do not want this area to be for filling up boats and trailers. That does not fit that area.

Councilwoman **Amy Shumway** asked where the sidewalks are in this proposal. **Petersen** said the sidewalk will come back with the schematic, and will match those to the northeast. The decision tonight is to just consider the layout with the store flipped to the street. This doesn't happen often in the gas station world.

Isaacson asked if people eastbound on Park Lane will be able to turn left into the gas station. **Petersen** said yes, they will, likely for a long time. He doesn't have problems with this basic layout.

Councilwoman **Rebecca Wayment** said it is time to get a gas station on the west side. She would rather motorists go to the light to access the gas station rather than access it off Park Lane. She hopes the primary access is on Commerce Drive. Councilman **Brett Anderson** and Councilman **Shawn Beus** stated their support of this gas station.

Motion:

Anderson moved that the City Council conceptually approve the initial layout, but table consideration of a Schematic Subdivision Plan, and PMP/DA, to allow time for the applicant and City Staff to develop the Maverik application further.

Beus seconded the motion. All Council members voted in favor, as there was no opposing vote.

North Cottonwood Creek Planned Unit Development (PUD) – Plat Amendment

Petersen presented this agenda item. Applicant **Craig North** said the Century Link line needs to be put underground.

Mayor Talbot opened the Public Hearing at 7:34 p.m. Nobody signed up in person or electronically to address the Council on the issue. **Mayor Talbot** closed the Public Hearing.

Motion:

Issacson moved that the City Council approve the North Cottonwood Creek Planned Unit Development (PUD) Plat Amendment by adding a Public Utility Easement (PUE) to Lot 7, subject to all applicable Farmington City standards and ordinances.

Wayment seconded the motion. All Council members voted in favor, as there was no opposing vote.

Farmington Orthostar – Schematic Subdivision

Petersen presented this agenda item. The last time the Council reviewed this site, the AutoSpa Car Wash was proposed. This is a different applicant with two office buildings, two stories each, and 12,000 square feet, give or take, for each building. It is an awkward site with the triangle and the bends of the roads. It meets the form-based code with the office buildings to the street. It also meets parking requirements and detention being provided on site. The western edge of the site aligns Clark Lane with Park Lane. A few conditions are listed, including a reciprocal access between this site and the site to the east. The bike lane is placed on there per Planning Commission request. The parking stalls striped on Park Lane were removed per Planning Commission request. There needs to be a 3 foot screen barrier between the parking lot and street, like the landscaping feature at the drive-up window at McDonald's.

Applicant **Doug Cromar** said the 3 foot screen wall is on the site plan.

Applicant **Adam Watts** (2221 S 2000 E, Salt Lake City, Utah) said they have met with neighbors to the south including **Linda Thomas**, **Hillary Hallows** and **Holly Abel**. The site plan should articulate the changes suggested by them and the Planning Commission including the 3 foot wall and enhanced landscaping, which has been forwarded to Staff and neighbors.

Mayor Talbot opened the Public Hearing at 7:42 p.m.

Linda Thomas (1212 W Clark Lane, Farmington, Utah) lives opposite the parking lot of this site. She spoke with **Watts** today about her concerns about the headlights and the lighting and is pleased the applicant is trying to screen for the headlights. She asked if there will be a traffic light where Park and Clark Lane meet. She also said she is concerned of the lack of access to the property owned by Utah First Credit Union.

Holly Abel (1163 W Henry, Farmington, Utah) lives in the subdivision across the street. She wondered if there would be a fence or bushes for the barrier. She wants to know the design of the buildings, but is not sure if this was the purpose of today's hearing. She is concerned with building that would be 35 feet high. All neighbors are worried about Clark Lane and Park Lane merging. Overall she is very pleased that the builders are working with the neighbors to maintain property values.

Hillary Hallows (1190 W. Clark Lane, Farmington, Utah) wanted to know about the 3 foot screen wall, which wasn't proposed on the east side against the residential side. It won't be a privacy screen if it is immature bushes. She is concerned that the building height of 35 feet is the same as three-story town homes. The line of sight near the credit union will be difficult with tall buildings. She likes this proposal for the most part.

Mayor Talbot closed the Public Hearing at 7:50 p.m.

Watts said the color of the building will not match the brilliant orange of Utah First Credit Union. Instead it is blond wood. Landscaping will include the 3 foot screen wall like that at McDonald's, which is brilliant. They can add another 3 foot wall to the east piece as well if that is a neighbor concern. Turf and grass would beautify the site, although they can do xeriscape if neighbors prefer. They have increased the tree count for additional privacy between the sites, above and beyond the requirements. Some portions are 36 feet high for an elevator shaft. Code allows for four-story buildings, and these are under that.

Petersen addressed the connection for Park and Clark, saying motorists can use the roundabout by the University building. This will be a city project on the capital facility plan for a number of years. This is a home run as far as impact to a neighborhood since there is no traffic in the evenings or weekends and the landscaping will likely be professionally maintained. There are a lot of benefits of living next to an office.

Mayor Talbot said the traffic would be a right hand turn in, as well as right hand turn out only. **Anderson** said he is glad to do something with that spur of a road that has been haunting him for years. **Petersen** said the Council could add a condition that the traffic engineer look at the feasibility of parking on Clark Lane. **Shumway** asked if a bike lane on the south side of the road would deter people from parking there.

Motion:

Isaacson moved that the City Council approve the Subdivision Schematic Plan for the Farmington Orthostar Subdivision, subject to all applicable Farmington City ordinances and development standards with the following conditions:

1. Reciprocal access to parcels east of this as necessary.

2. A bike lane should be added on Clark Lane on the north, and direct Staff to study the south side of the road.
3. Any remaining Design Review Committee (DRC) comments, including the City Engineer, must be addressed.
4. Parking along Park and Clark Lane is not explicitly denied. However, the current parking area is sufficient to meet the requirements of the code. The City strongly suggests removing street parking from the Subdivision Schematic and Site Plan prior to Preliminary Plat and Design Development Review.
5. Direct the applicant to work with Staff to address parking on Clark Lane, whether allowed or not, and to involve the traffic engineer to make a determination on street parking on Clark Lane.

Findings for Approval:

1. The use of office and professional space in the mixed use zones supports the goals of the General Mixed Use (GMU) zone, promoting higher density, walkability and economic stability.
2. The OrthoStar subdivision is consistent with the General Plan because it provides an attractive, healthy, and pleasant living environment.
3. The office use would not be detrimental to neighboring residential uses, as there would be very little noise and light pollution.
4. Because the buildings front Park Lane, traffic would be less likely to leak over to Clark Lane, which currently experiences less traffic.
5. The subdivision provides the City with an opportunity to construct an increasingly necessary connection from Park Lane to Clark Lane.
6. The development allows for pedestrian usability as it provides a connection from Park Lane to Clark Lane, with sidewalks to be installed along both frontages.
7. The site plan follows the Chapter 18 Mixed Use ordinance, thereby removing the need for a “sub”—PMP as part of the larger North Station Master Plan.

Shumway seconded the motion. All Council members voted in favor, as there was no opposing vote.

REDEVELOPMENT AGENCY MEETING

Motion:

Councilwoman **Amy Shumway** made the motion to adjourn to the Redevelopment Agency (RDA) Meeting held electronically over Zoom. The motion was seconded by Councilman **Brett Anderson**, which was unanimously approved.

CALL TO ORDER:

Mayor **Jim Talbot** called the meeting to order at 8:03 p.m. Roll call established that all members were present including **Brett Anderson, Rebecca Wayment, Shawn Beus, Amy Shumway,** and **Scott Isaacson.**

Farmington North Station Community Reinvestment Project Area (CRA) 1 and CRA 2, amend the trigger date in Interlocal Agreement between the RDA board and all entities which levy a property tax in the project areas to adjust the trigger date for both project areas to 2027.

Assistant City Economic Development Director **Brigham Mellor** said this was discussed at the end of October when the City entered into a Development Agreement with STACK. COVID set back the plans. It was discussed again in November when the City Council was the first entity to extend the trigger date with an Interlocal Agreement. All taxing entities approved to move the trigger date, the last being the Weber Basin Water Conservancy District. Now the last element is for the RDA to approve those Interlocal Agreements. There are seven in CRA 1 and six in CRA 2. Once approved, they will be signed and recorded with the County.

Motion:

Beus moved that the RDA Board amend the trigger date established through Resolution 2021-01, 02, 03, 04, 05, 06, and 07 approving the Interlocal Agreements (plural) with each individual property taxing entity to adjust the tax increment collection trigger date from 2024 to 2027 in Farmington North Station CRA 1.

Shumway seconded the motion. All Council members voted in favor, as there was no opposing vote.

Motion:

Beus moved that the RDA Board amend the trigger date established through Resolution 2021-08, 09, 10, 11, 12, and 13 approving the Interlocal Agreements (plural) with each individual property taxing entity to adjust the tax increment collection trigger date from 2024 to 2027 in Farmington North Station CRA 2.

Wayment seconded the motion. All Council members voted in favor, as there was no opposing vote.

Motion:

Isaacson made a motion to adjourn and reconvene to an open City Council meeting at 8:09 p.m. The motion was seconded by **Shumway**, and was unanimously approved.

SUMMARY ACTION:

Minute Motion Approving Summary Action List

The Council considered the Summary Action List including: Interlocal Cooperation agreement for Animal Services; Interlocal Agreement with Davis County for Election Services; Standard Provider Contract with Davis County On-Site Ambulance Service; Resolution appointing two members (**Steve Hill** and **John Lowe**) to the Farmington Trails Committee; and approval of minutes from February 2, 2021.

Motion:

Shumway moved to approve the Summary Action list items 1-5 as noted in the staff report.

Anderson seconded the motion. All Council members voted in favor, as there was no opposing vote.

GOVERNING BODY REPORTS:

City Manager Report

Pace presented the Building Activity Report for January. With 107 permits year to date and 93 built, things are not really slowing down, even in COVID. In the Legislature this year, the Utah League of Cities and Towns is keeping an eye on a number of things including pre-empting local government authority.

HB82 was initially very broad, allowing accessory dwelling units everywhere in every city. Farmington wanted to keep the authority to decide where to let ADUs happen in the City. The City does not want ADUs in the dense part of the City. That bill is now better than it initially was.

HB98 would have allowed developers and builders to hire their own building inspectors to issue certificates of occupancy. Cities felt that was a major conflict of interest, and the bill was opposed by a large contingency of cities and the League of Cities and Towns. After a lot of negotiations, the bill now says the inspector has to be an insured and independent third party.

SB61 and HB144 addressed converting existing billboards and signs to digital signs without any regulatory authority. Both have been stopped and will not move forward.

Wayment sat with the League of Cities and Towns this year, and said the Legislature was a wild ride. She appreciates the League's lobbying efforts, saying they represented Farmington well.

Pace said **Jerry Preston** and Assistant City Manager/City Engineer **Chad Boshell** came to a compromise. **Preston** will be selling the City a slope easement west of the water tank, and 10 more feet of one of the lots, both for a total of \$30,000. The City will increase some of the landscaping there. The Memorandum of Understanding will be finished and signed next week, and will signify moving forward from the unfortunate situation last year.

Mayor Talbot and City Council Reports

Mayor Talbot thanked **Wayment** for being involved with the League of Cities and Towns this Legislative session. He is amazed at the power the Legislature tries to take away from the Cities. He intends to talk to City Parks and Recreation Director **Neil Miller** about the multiple requests residents have for championships. **Anderson** said he has had complaints that youth in city sports want tournaments for basketball and flag football. **Pace** noted that there is a difference between recreation and competition leagues. The three of them will meet next week to discuss this issue.

Shumway said some high school-aged teams did get a basketball playoff. She said the Trails Committee now has some new active members, and the Council can expect to see a lot more action from that Committee. She, **Mellor** and **Brad Macdonald**, chair of the Trails Committee, met with the Forest Service to get them started on improving Farmington Creek. The lower 80 percent is in good shape, and the other 20 percent is pretty sketchy. Improvements will require an intense process including explosives, and this process has been started.

Isaacson said a portion of the Denver and Rio Grande Western Rail Trail (D&RGW Trail) south of Glover Lane is littered with several truckloads of housing insulation, likely blown into the fence and area during a large recent windstorm. **Pace** will ask the property owner to clean it up.

Pace provided an update on the flashing beacon lights, saying the rest have been ordered for the D&RGW Trail and should be in next week, and hopefully installed as soon as they come in.

Wayment asked about the used mobile home trailers that recently popped up at 1525 West and Glover's Lane and if that is something the City allows people to set up and use. **Pace** answered that a Centerville mobile home park has been vacated, and those mobile homes needed a temporary location for a month. The property in question is not in Farmington, but is within Davis County. The mobile home park had asked Farmington if they could locate them by the storage units south of the high school, but that location didn't work out. **Pace** said the mobile homes should be gone within a month. They are being stored, not lived in.

Wayment asked if the City is planning to hold Festival Days this year. **Mayor Talbot** answered that **Miller** is big on cut off dates, and the Parks and Recreation Department is now focused on

Festival Days after deciding not to hold the Easter Egg Hunt. **Talbot** asked for more flexibility for a cutoff date for Festival Days, postponing the decision until April or May. He said it would be hard to social distance during a parade with candy throwing, so the parade may be canceled. Kaysville is looking at having a different form of a parade if COVID doesn't get under control. Usually Farmington Festival Days is a Monday through Saturday event, but the City may have to shorten it. He believes the City needs it, but should be as careful as possible. **Pace** said most cities are hopeful they can hold their summer celebrations, although altered in form from those in the past. **Isaacson** suggested pushing the date for Festival Days out another month, having it around the 24th of July instead of the 4th of July. **Talbot** said maybe it can even go into August. **Miller** wants a ribbon cutting on the ball fields, and that may have to be put off from April until later in the summer.

Mayor Talbot said the April 20 City Council meeting may be cancelled so Council members have time to travel to St. George for the April 21 and 23 Utah League of Cities and Towns Conference..

ADJOURNMENT

Motion:

Anderson made a motion to adjourn the meeting at 8:50 p.m.. **Shumway** seconded the motion, which was unanimously approved.

Heidi Bouck, Recorder